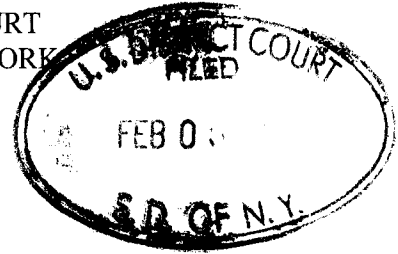


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
RAMON BERRIOS and HECTOR AZCONA  
DIAZ Individually and on Behalf of All Other  
Persons Similarly Situated,

Plaintiffs,

-against-

DYNAMEX, INC., LANDAUER  
METROPOLITAN, INC. and DOES 1 through  
100, jointly and severally,

Defendants.  
-----X

Civ. No.: 07-CV-9293 (RJS)

**MOTION TO ADMIT**  
**COUNSEL PRO HAC VICE**

TO: FRAN RUDICH, ESQ.  
LOCKS LAW FIRM, PLLC  
Attorneys for Plaintiff  
110 East 55<sup>th</sup> Street, 12<sup>th</sup> Floor  
New York, New York 10022  
(212) 838-3333

JEFFREY M. GOTTLIEB, ESQ.  
BERGER & GOTTLIEB  
Attorneys for Plaintiff  
150 East 18<sup>th</sup> Street, Suite PHR  
New York, New York 10003  
(212) 228-9795

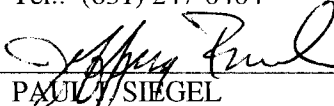
**COMES NOW**, Defendants Dynamex, Inc. and Landauer Metropolitan, Inc., upon the annexed affidavit of James Sullivan, and hereby moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Court for the Southern District of New York, granting counsel permission to appear *pro hac vice* in the above-captioned matter.

Dated: Melville, New York  
February 4, 2008

Respectfully submitted,

JACKSON LEWIS LLP  
ATTORNEYS FOR DEFENDANTS  
58 S. Service Road, Suite 410  
Melville, New York 11747  
Tel.: (631) 247-0404

By: \_\_\_\_\_

  
PAUL J. SIEGEL  
JEFFREY W. BRECHER

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
RAMON BERRIOS and HECTOR AZCONA  
DIAZ Individually and on Behalf of All Other  
Persons Similarly Situated,

Plaintiffs,

-against-

DYNAMEX, INC., LANDAUER  
METROPOLITAN, INC. and DOES 1 through  
100, jointly and severally,

Defendants.  
-----X

Civ. No.: 07-CV-9293 (RJS)

**AFFIDAVIT IN SUPPORT OF**  
**MOTION TO ADMIT**  
**COUNSEL PRO HAC VICE**

STATE OF MISSOURI       )  
                                  )ss.:  
COUNTY OF JACKSON     )

I, James Sullivan, duly sworn according to law, depose and say:

1. As shown in the Certificate of Good Standing annexed hereto, I am an attorney in good standing admitted to practice law in the State of Missouri. I am also admitted to practice in the following federal courts: United States District Court for the Western District of Missouri, United States District Court for the District of Kansas, United States District Court for the Southern District of Texas, United States District Court for the Western District of Michigan, United States Court of Appeals for the Eighth Circuit, United States Court of Appeals for the Eleventh Circuit. I am not admitted to practice in New York, and I do not maintain a bona fide office for the practice of law in this State. My office address and telephone number are Twelve Wyandotte Plaza, 120 West 12<sup>th</sup> Street, Kansas City, Missouri 64105, 816-374-0565.

2. I am associated in this matter with New York counsel of record, Paul J. Siegel and Jeffrey W. Brecher, members of JACKSON LEWIS LLP, who are qualified to practice law in this State. I understand that Mr. Siegel and Mr. Brecher shall appear with me before the Courts of this

State and that Mr. Siegel or Mr. Brecher shall be the person upon whom all papers in connection with this matter shall be served.

3. Dynamex, Inc. and Landauer Metropolitan Inc. have requested my representation in this matter.

4. I am not now the subject of any pending disciplinary proceedings in any jurisdiction, nor have I been disciplined previously in any jurisdiction.

5. There is good cause for my admission *pro hac vice* in that my firm (Shughart, Thomson & Kilroy, P.C.) has experience and expertise in the requirements of federal motor carrier law and the Truth in Leasing regulations.

6. I hereby submit to all disciplinary procedures applicable to New York attorneys.

WHEREFORE, the undersigned attorney respectfully requests that the Court enter an Order granting non-resident counsel permission to appear *pro hac vice* in the above-captioned matter.

  
JAMES SULLIVAN

Subscribed and sworn to before me, a notary public, this 29<sup>th</sup> day of January, 2008.

  
Notary Public

My Commission Expires:

**BRENDA L. LEE**  
Notary Public-Notary Seal  
STATE OF MISSOURI  
County of Clay  
My Commission Expires: 9-25-2011  
Commission #00428629

I:\Clients\D\89815\117250 - Berrios\Pleadings\Pro Hac Vice\Sullivan Affidavit to admit pro hac vice.doc

*The Supreme Court of Missouri*



*Certificate of Admission as an  
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on September 21, 1990,

*James C. Sullivan*

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 26<sup>th</sup> day of December, 2007.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", written over a horizontal line.

Clerk of the Supreme Court of Missouri

UNITED STATES DISTRICT COURT

DISTRICT OF

KANSAS

**CERTIFICATE OF  
GOOD STANDING**

I, INGRID A. CAMPBELL, *Acting Clerk*,  
certify that James C. Sullivan, Bar # 70453,  
was duly admitted to practice in this Court on  
November 6, 1998, and is in good standing  
*DATE*  
as a member of the Bar of this Court.

Dated at Kansas City, Kansas on December 26, 2007.  
*LOCATION* *DATE*

INGRID A. CAMPBELL  
ACTING CLERK

Marla Gonzales  
DEPUTY CLERK

UNITED STATES DISTRICT COURT

Eastern District of Michigan

**CERTIFICATE OF GOOD STANDING**

I, David J. Weaver, *Clerk of this Court,*

*certify that* James C. Sullivan,

*was duly admitted to practice in this Court on*

June 8, 1998, *and is in good standing*

*DATE*

*as a member of the Bar of this Court.*

*Dated at* Detroit, MI *on* December 28, 2007.

*LOCATION*

*DATE*

David J. Weaver  
*CLERK*



## CERTIFICATE OF GOOD STANDING

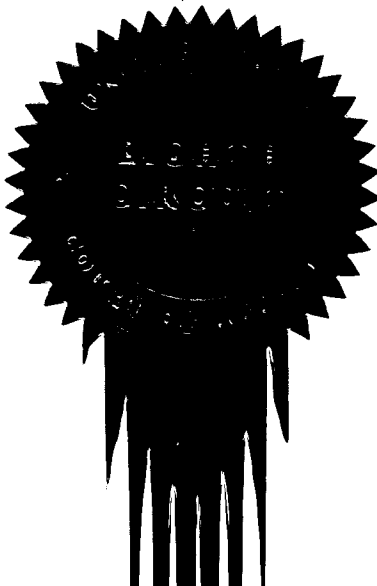
United States of America                   \*  
Court of Appeals                       \*       SS.  
for the Eighth Circuit                   \*

I, *Michael E. Gans*, Clerk of the United States Court of Appeals for the Eighth Circuit, DO HEREBY CERTIFY That **James C. Sullivan** was duly admitted to practice in said Court on **April 29, 2003** and is in good standing in said Court.

Dated at St. Louis, Missouri  
on December 26, 2007.

*Michael E. Gans*  
Clerk of Court

By *Amy Smith*  
Deputy Clerk



# CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA )  
COURT OF APPEALS )  
FOR THE ELEVENTH CIRCUIT )

I,                    THOMAS K. KAHN                    Clerk of the United States  
Court of Appeals for the ELEVENTH Circuit, DO HEREBY CERTIFY  
That James C. Sullivan was duly admitted to practice in said Court  
October 9, 2007 and is in good standing in said Court.

Dated at ATLANTA, GEORGIA  
on December 26, 2007

Thomas K. Kahn  
Clerk

Tina C. Patterson  
Deputy Clerk



**CERTIFICATE OF GOOD STANDING**

**UNITED STATES OF AMERICA**

)

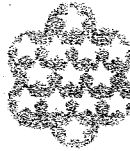
)

SS.

**WESTERN DISTRICT OF MISSOURI**

)

I, Patricia L. Brune, Clerk of the United States District Court for the Western District of Missouri,



DO HEREBY CERTIFY that James C. Sullivan was duly admitted to practice in said Court on September 28, 1990.



James C. Sullivan is currently in an active status and has not been disciplined by this Court.

Dated at Kansas City, Missouri  
on October 3, 2007

*Patricia L. Brune*

Patricia L. Brune, Clerk

By *Joella Baldwin*  
Joella Baldwin, Deputy Clerk

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

CERTIFICATE OF  
GOOD STANDING

I, MICHAEL N. MILBY, Clerk of this Court,

certify that James C. Sullivan, Bar MO38138,

*was duly admitted to practice in this Court on*

December 12, 1997, and is in good standing

*DATE*

*as a member of the Bar of this Court.*

*Dated at* McAllen, Texas *on* January 11, 2008.

*LOCATION*

*DATE*

MICHAEL N. MILBY  
CLERK

  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X	
RAMON BERRIOS and HECTOR AZCONA DIAZ Individually and on Behalf of All Other Persons Similarly Situated,	
Plaintiffs,	Civ. No.: 07-CV-9293 (RJS)
-against-	<b><u>[PROPOSED] ORDER</u></b> <b><u>GRANTING MOTION TO</u></b> <b><u>ADMIT COUNSEL</u></b> <b><u>PRO HAC VICE</u></b>
DYNAMEX, INC., LANDAUER METROPOLITAN, INC. and DOES 1 through 100, jointly and severally,	
Defendants.	
----- X	

Defendants, Dynamex, Inc. and Landauer Metropolitan Inc., having moved under Local 1.3(c) for an order admitting James Sullivan *pro hac vice* to the Bar of this Court to argue and to try the above-captioned matter, and the attorney being a member in good standing of the Bar of the State of Missouri:

IT IS HEREBY ORDERED that the motion is granted and that James Sullivan is admitted *pro hac vice* to the Bar of this Court.

Dated: New York, New York  
\_\_\_\_\_, 2008

\_\_\_\_\_  
JUDGE RICHARD J. SULLIVAN